

Title	Multijurisdictional Practice of Law by Lawyers Not Admitted to the State Bar of California (adopt Cal. Rules of Court, rules 964–967)
Summary	The proposed rules would permit four categories of lawyers who are licensed to practice in a U.S. jurisdiction other than California and who are active members in good standing of their respective bars to practice law in California in limited circumstances. The proposed rules would apply to in-house counsel of a qualifying institution, lawyers practicing public interest law, lawyers practicing temporarily in California on specific litigation, and lawyers practicing temporarily in California on nonlitigation matters.
Source	California Supreme Court Multijurisdictional Practice Implementation Committee
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Discussion	<p>The California Supreme Court Multijurisdictional Practice Implementation Committee was charged with determining the specific rules and procedures necessary to implement recommended modifications to the restrictions on the practice of law by attorneys who are not members of the State Bar of California. The committee developed proposed rules 964–967 in response to and consistent with the recommendations in the final report of the California Supreme Court Advisory Task Force on Multijurisdictional Practice. The task force report is available at <a href="http://www.courtinfo.ca.gov/reference/documents/finalmjprept.pdf">www.courtinfo.ca.gov/reference/documents/finalmjprept.pdf</a>.</p> <p>The recommendations would allow in-house counsel and public interest lawyers residing in California who are not admitted to the State Bar of California to practice law in California through a registration system. They also would allow lawyers who are not admitted to the State Bar of California but are temporarily in California for litigation and nonlitigation matters to practice on a temporary and occasional basis.</p> <p>The proposed rules would define the circumstances under which</p>

lawyers not admitted to the State Bar of California would be permitted to practice law in California. Currently, in order to practice law in California, an attorney must pass the California bar examination and comply with other rules of admission, including registering with the State Bar's Committee of Bar Examiners, undergoing a successful moral character determination, and paying fees. A California attorney must also comply with Minimum Continuing Legal Education (MCLE) requirements.

The proposed rules ease some restrictions on multijurisdictional practice in recognition that current legal practice often involves matters crossing state boundaries. The rules also are intended to ensure that consumers of legal services are protected, by requiring that attorneys who practice under the proposed rules are in good standing in another U.S. jurisdiction, are subject to regulation and discipline, and—for those resident in California under proposed rules 964 and 965—are subject to continuing legal education requirements.

The proposed rules would permit two categories of attorneys—public interest attorneys and in-house counsel—to practice law in defined circumstances by registering with the State Bar of California. Registered attorneys would be subject to the disciplinary authority of the State Bar of California and the Supreme Court of California, and they would be required to abide by the laws and rules that govern members of the State Bar of California. In the first year of practice they would be required to complete the MCLE requirements that members of the State Bar of California must complete every three years.

Under proposed rule 964, attorneys licensed to practice in other jurisdictions would be permitted to register with the State Bar of California to practice law at qualifying public interest organizations, which are defined as nonprofit entities whose primary purpose is to provide legal services without charge to indigent persons. A lawyer who is a member of the State Bar would supervise an attorney practicing under this rule, and the duration of practice would be limited to three years.

Under proposed rule 965, registered in-house counsel who reside in California and work for qualifying institutions would be permitted to provide legal services to their employers. They would not be permitted to appear in court. A qualifying institution is defined as a corporation,

a partnership, an association, or other legal entity, including its subsidiaries and organizational affiliates. The proposed rule requires that a qualifying institution employ at least 10 employees full-time in California or employ in California an attorney who is an active member in good standing of the State Bar of California.

Proposed rules 966 and 967 would permit attorneys who are licensed to practice in a U.S. jurisdiction other than California to practice law in California on a temporary and occasional basis without registering with the State Bar. Currently, a lawyer who is not admitted to the State Bar of California and who travels to California or otherwise practices law in California must be admitted as counsel pro hac vice under rule 983 of the California Rules of Court, register as out-of-state attorney arbitration counsel under rule 983.4, or register as a foreign legal consultant under rule 988.

The committee believes that there are circumstances in which attorneys do not qualify for admission under the counsel pro hac vice rule, for registration as out-of-state attorney arbitration counsel, or for registration as foreign legal consultants, but who nevertheless should be permitted to practice law in California on a temporary and limited basis. Proposed rule 966 would permit an attorney residing in another U.S. jurisdiction to engage in the practice of law in California on a temporary basis and subject to certain conditions if:

- The attorney is authorized to appear in a formal legal proceeding being conducted in another jurisdiction;
- The attorney expects to be authorized to appear in a formal legal proceeding that is anticipated but not yet pending in another jurisdiction;
- The attorney expects to be authorized to appear in a formal legal proceeding that is anticipated but not yet pending in California; or
- The attorney is supervised by an attorney who is authorized to appear or expects to be authorized to appear in a formal legal proceeding that is anticipated or pending.

Proposed rule 967 would permit attorneys residing in another U.S. jurisdiction to provide legal assistance in California on a temporary

basis and subject to certain conditions, in the following circumstances:

- To a client concerning a transaction or other nonlitigation matter, any substantial part of which is taking place in another jurisdiction in which the lawyer is licensed to practice;
- To California lawyers on an issue of federal law or the law of another jurisdiction; and
- To an employer-client or to the employer-client's subsidiaries or organizational affiliates.

The committee is interested in comments addressing whether proposed rules 966 and 967 should include limits on the duration of temporary practice in California, e.g., no more than a specified number of days each year or no more than a specified number of consecutive days.

The committee is particularly interested in comments concerning whether the proposed rules accomplish their intended purpose: to permit lawyers not admitted to the State Bar of California to practice in circumstances that (1) are clearly and narrowly defined in order to protect the general public and consumers of legal services, and (2) acknowledge and provide for the realities of legal practice today.

1 Statement of Purpose. The purpose of this rule is to permit attorneys who relocate to  
2 California, and who are licensed to practice law in one or more jurisdictions in the  
3 United States other than California, to register to practice law, under supervision, in  
4 California at a qualifying public interest organization for no more than three years  
5 without taking the California bar examination.  
6

7 **Rule 964. Registered Public Interest Attorneys**  
8

9 (a) **[Scope of practice]** A registered public interest attorney is permitted to  
10 practice law in California only while working, with or without pay, at a  
11 qualifying public interest organization, as defined in this rule, and, at  
12 that institution and on behalf of its clients, may engage, under  
13 supervision, in all forms of legal practice that are permissible for a  
14 member of the State Bar of California.  
15

16 (b) **[Requirements]** To practice law under this rule, an attorney must:  
17

- 18 (1) Be an active member in good standing of the bar of a United  
19 States state, jurisdiction, possession, territory, or dependency;  
20
- 21 (2) Register with the State Bar of California and file an *Application*  
22 *for Determination of Moral Character*;  
23
- 24 (3) Meet all of the requirements for admission to the State Bar of  
25 California, except that the attorney:  
26
  - 27 (A) Need not take the California bar examination or the  
28 Multistate Professional Responsibility Examination; and  
29
  - 30 (B) May practice law while awaiting the result of his or her  
31 *Application for Determination of Moral Character*;  
32
- 33 (4) Practice law exclusively for a single qualifying public interest  
34 organization, except that if so qualified, an attorney may while  
35 practicing under this rule simultaneously practice law as  
36 registered in-house counsel.  
37
- 38 (5) Practice law under the supervision of an attorney at the  
39 qualifying public interest organization who is a member in good  
40 standing of the State Bar of California;  
41
- 42 (6) Abide by all of the laws and rules that govern members of the  
43 State Bar of California, including the Minimum Continuing  
Legal Education (MCLE) requirements;

1  
2       (7) Satisfy in his or her first year of practice under this rule all of the  
3       MCLE requirements, including ethics education, that members of  
4       the State Bar of California must complete every three years; and

5  
6       (8) Not have taken and failed the California bar examination within  
7       five years immediately preceding application to register under  
8       this rule.

9  
10      (c) **[Application]** To qualify to practice law as a registered public interest  
11      attorney, the attorney must do the following:

12  
13      (1) Register as an attorney applicant and file an *Application for*  
14      *Determination of Moral Character* with the Committee of Bar  
15      Examiners;

16  
17      (2) Submit to the State Bar of California a declaration signed by the  
18      attorney agreeing to be subject to the disciplinary authority of the  
19      California Supreme Court and the State Bar of California and  
20      attesting that he or she will not practice law in California other  
21      than under supervision at a qualifying public interest  
22      organization during the time he or she practices law as a  
23      registered public interest attorney in California, except that if so  
24      qualified, an attorney may, while practicing under this rule,  
25      simultaneously practice law as registered in-house counsel.

26  
27      (3) Submit to the State Bar of California a declaration signed by a  
28      qualifying supervisor on behalf of the qualifying public interest  
29      organization in California attesting that the applicant will work,  
30      with or without pay, as a lawyer for the organization; that the  
31      applicant will be supervised as specified in this rule; and that the  
32      qualifying public interest organization and the supervising  
33      attorney assume professional responsibility for any work  
34      performed by the applicant under this rule.

35  
36      (d) **[Duration of practice]** An attorney may practice for no more than a  
37      total of three years under this rule.

38      (e) **[Fees]** The State Bar of California may set appropriate initial and  
39      annual registration fees, as well as application fees, to be paid by  
40      registered public interest attorneys.

41  
42      (f) **[Supervision]** To meet the requirements of this rule, an attorney  
43      supervising a registered public interest attorney:

- (1) Must be an active member in good standing of the State Bar of California;
- (2) Must have actively practiced law in California and been a member in good standing of the State Bar of California for at least two years immediately preceding the time of supervision;
- (3) Must have practiced law as a full-time occupation for at least four years;
- (4) Must not supervise more than two attorneys under this rule concurrently;
- (5) Must assume professional responsibility for any work that the registered public interest attorney performs under the supervising attorney's supervision;
- (6) Must assist and counsel the registered public interest attorney in the activities authorized by this rule and review such activities with the supervised attorney, to the extent required for the protection of the client;
- (7) Must read, approve, and personally sign any pleadings, briefs, or other similar documents prepared by the registered public interest attorney before the filing thereof, and read and approve any documents prepared by the registered public interest attorney for execution by any person who is not a member of the State Bar of California before submission thereof for execution;
- (8) During the first year of the registered public interest attorney's practice under this rule, must provide direct and immediate supervision, in person, of any participation by the registered public interest attorney in any deposition, trial, arbitration, mediation, or any proceeding that occurs before a judge, arbitrator, mediator, court, public agency, referee, magistrate, commissioner, or hearing officer; and
- (9) After the first year of the registered public interest attorney's practice under this rule, may permit the registered public interest attorney to engage in any of the activities listed in (f)(8) without the direct and immediate supervision, in person, of the supervising attorney.

1        **(g) [Definitions]** The following definitions apply to terms used in this rule:  
2

3        (1) “Qualifying public interest organization” means either of the  
4        following, provided that the qualifying public interest  
5        organization has quality control procedures approved by the State  
6        Bar of California:

7  
8        (A) A nonprofit entity incorporated and operated exclusively in  
9        California that provides as its primary purpose and function  
10       legal services without charge in civil matters to indigent  
11       persons, especially underserved client groups, such as the  
12       elderly, the disabled, juveniles, and non-English-speaking  
13       persons; or

14  
15       (B) A program operated exclusively in California by a nonprofit  
16       law school accredited by the State Bar of California that has  
17       operated for at least two years at a cost of at least \$20,000  
18       per year as an identifiable law school unit with a primary  
19       purpose and function of providing legal services without  
20       charge to indigent persons.

21  
22       (2) “Member in good standing of the bar of a United States state,  
23       jurisdiction, possession, territory, or dependency” means an  
24       attorney who meets all of the following criteria:

25  
26       (A) Is a member in good standing of the entity governing the  
27       practice of law in each jurisdiction in which the member is  
28       licensed to practice law;

29  
30       (B) Remains an active member in good standing of the entity  
31       governing the practice of law in at least one United States  
32       state, jurisdiction, possession, territory, or dependency other  
33       than California while practicing law as a registered public  
34       interest attorney in California; and

35  
36       (C) Is not disbarred or suspended from practicing law in any  
37       other jurisdiction.

1 Statement of Purpose. The purpose of this rule is to permit an attorney who  
2 resides in California and who is licensed to practice law in one or more  
3 jurisdictions in the United States other than California to register to provide legal  
4 services as in-house counsel for a single qualifying institution in California  
5 without first passing the California bar examination.  
6

7 **Rule 965. Registered In-House Counsel**  
8

9 **(a) [Scope of practice]** An attorney practicing law under this rule:  
10

- 11 (1) Is permitted to provide legal services in California only to the  
12 qualifying institution that employs him or her;  
13  
14 (2) Is not permitted to make court appearances in California state  
15 courts or to engage in any other activities for which pro hac vice  
16 admission is required if they are performed in California by an  
17 attorney who is not a member of the State Bar of California;  
18  
19 (3) Is not permitted to provide personal or individual representation to  
20 any customers, shareholders, owners, partners, officers,  
21 employees, servants, or agents of the qualifying institution.  
22

23 **(b) [Requirements]** To practice law under this rule, an attorney must:  
24

- 25 (1) Be an active member in good standing of the bar of a United States  
26 state, jurisdiction, possession, territory, or dependency;  
27  
28 (2) Register with the State Bar of California and file an *Application for*  
29 *Determination of Moral Character*;  
30  
31 (3) Meet all of the requirements for admission to the State Bar of  
32 California, except that he or she:  
33  
34 (A) Need not take the California bar examination or the  
35 Multistate Professional Responsibility Examination; and  
36  
37 (B) May practice law while awaiting the result of his or her  
38 *Application for Determination of Moral Character*;  
39  
40 (4) Practice law exclusively for a single qualifying institution, except  
41 that, while practicing under this rule, an attorney may, if so  
42 qualified, simultaneously practice law as a registered public  
43 interest attorney;

- 1  
2 (5) Abide by all of the laws and rules that govern members of the State  
3 Bar of California, including the Minimum Continuing Legal  
4 Education (MCLE) requirements;  
5  
6 (6) Satisfy in his or her first year of practice under this rule all of the  
7 MCLE requirements, including ethics education, that members of  
8 the State Bar of California must complete every three years and,  
9 thereafter, satisfy the MCLE requirements applicable to all  
10 members of the State Bar; and  
11  
12 (7) Reside in California.  
13  
14 (c) **[Application]** To practice law as registered in-house counsel, an  
15 attorney must do the following:  
16  
17 (1) Register as an attorney applicant and file an *Application for*  
18 *Determination of Moral Character* with the Committee of Bar  
19 Examiners;  
20  
21 (2) Submit to the State Bar of California a declaration signed by the  
22 attorney agreeing to be subject to the disciplinary authority of the  
23 California Supreme Court and the State Bar of California and  
24 attesting that he or she will not practice law in California other  
25 than on behalf of the qualifying institution, during the time he or  
26 she is a registered in-house counsel in California, except that if so  
27 qualified, an attorney may, while practicing under this rule,  
28 simultaneously practice law as a registered public interest attorney.  
29  
30 (3) Submit to the State Bar of California a declaration signed by an  
31 officer, a director, or a general counsel of the applicant's  
32 employer, on behalf of the applicant's employer, attesting that the  
33 applicant is employed as a lawyer for the employer, that the nature  
34 of the employment conforms to the requirements of this rule, that  
35 the employer will notify the State Bar of California within 30 days  
36 of the cessation of the applicant's employment in California, and  
37 that the person signing the declaration believes, to the best of his  
38 or her knowledge after reasonable inquiry, that the applicant  
39 qualifies for registration under this rule and is an individual of  
40 good moral character.  
41  
42 (d) **[Duration of practice]** Registered in-house counsel must renew  
43 registration annually. There is no limitation on the number of years in-

1 house counsel may register under this rule. Registered in-house counsel  
2 may practice law under this rule only for as long as he or she remains  
3 employed by the same qualifying institution that provided a declaration  
4 in support of his or her application. If an attorney practicing law as  
5 registered in-house counsel leaves the employment of his or her  
6 employer or changes employers, he or she must notify the State Bar of  
7 California within 30 days. If he or she wishes to practice law under this  
8 rule for a new employer, he or she must first register as in-house  
9 counsel for that employer.

10  
11 **(e) [Fees]** The State Bar of California may set appropriate initial and  
12 annual registration fees, as well as application fees, to be paid by  
13 registered in-house counsel.

14  
15 **(f) [Definitions]** The following definitions apply to terms used in this rule:

16  
17 (1) “Qualifying institution” means a corporation, a partnership, an  
18 association, or other legal entity, including its subsidiaries and  
19 organizational affiliates. Neither a governmental entity nor an  
20 entity that provides legal services to others can be a qualifying  
21 institution for purposes of this rule. A qualifying institution must:

22  
23 (A) Employ at least 10 employees full-time in California; or

24  
25 (B) Employ in California an attorney who is an active member in  
26 good standing of the State Bar of California.

27  
28 (2) “Member in good standing of the bar of a United States state,  
29 jurisdiction, possession, territory, or dependency” means an  
30 attorney who meets all of the following criteria:

31  
32 (A) Is a member in good standing of the entity governing the  
33 practice of law in each jurisdiction in which the member is  
34 licensed to practice law;

35  
36 (B) Remains an active member in good standing of the entity  
37 governing the practice of law in at least one United States  
38 state, jurisdiction, possession, territory, or dependency, other  
39 than California, while practicing law as a registered public  
40 interest attorney in California; and

41  
42 (C) Is not disbarred or suspended from practicing law in any other  
43 jurisdiction.

1 Statement of Purpose. The purpose of this rule is to permit a lawyer who is  
2 licensed to practice law in a jurisdiction in the United States other than California,  
3 and who is in California temporarily as part of litigation, to perform litigation  
4 tasks in California under specified circumstances. A lawyer practicing under this  
5 rule will not be deemed to be engaging in the unauthorized practice of law in  
6 California.

7  
8 **Rule 966. Lawyers Practicing Law Temporarily in California as Part of**  
9 **Litigation**

10  
11 **(a) [Requirements]** For a lawyer to practice law under this rule, he or she  
12 must:

- 13  
14 (1) Maintain an office in a United States jurisdiction other than  
15 California and in which he or she is licensed to practice law;  
16  
17 (2) Already be retained by a client in the matter for which he or she  
18 is providing legal services in California, except that it is not  
19 deemed for a lawyer to provide legal advice to a potential client,  
20 at the potential client's request, to assist the client in deciding  
21 whether to retain the lawyer;  
22  
23 (3) Indicate on any Web site or other advertisement that is accessible  
24 in California that he or she is not a member of the State Bar of  
25 California; and  
26  
27 (4) Be an active member in good standing of the bar of a United  
28 States state, jurisdiction, possession, territory, or dependency;  
29

30 **(b) [Permissible activities]** A lawyer meeting the requirements of this rule  
31 is not engaging in the unauthorized practice of law in California if the  
32 attorney's services are part of any of the following:  
33

- 34 (1) A formal legal proceeding that is pending in another jurisdiction  
35 and in which he or she is authorized to appear;  
36  
37 (2) A formal legal proceeding that is anticipated but is not yet  
38 pending in California and in which he or she reasonably expects  
39 to be authorized to appear;  
40  
41 (3) A formal legal proceeding that is anticipated but is not yet  
42 pending in another jurisdiction and in which he or she reasonably  
43 expects to be authorized to appear; and

- 1  
2 (4) A formal legal proceeding that is anticipated or pending and in  
3 which an attorney supervising the lawyer is authorized to appear  
4 or reasonably expects to be authorized to appear.  
5

6 The lawyer whose anticipated authorization to appear in a formal legal  
7 proceeding serves as the basis for practice under this rule must seek that  
8 authorization promptly after it becomes possible to do so. Failure to  
9 seek that authorization promptly, or denial of that authorization, ends  
10 eligibility to practice under this rule.  
11

12 **(c) [Restrictions]** To qualify to practice law in California under this rule, a  
13 lawyer must not do any of the following:  
14

- 15 (1) Hold out to the public or otherwise represent that he or she is  
16 admitted to practice law in California;  
17  
18 (2) Establish or maintain a resident office or other systematic or  
19 continuous presence in California for the practice of law;  
20  
21 (3) Be a resident of California;  
22  
23 (4) Be regularly employed in California;  
24  
25 (5) Regularly engage in substantial business, professional, or other  
26 activities in California; or  
27  
28 (6) Be disbarred or suspended from practicing law in any other  
29 jurisdiction.  
30

31 **(d) [Conditions]** By practicing law in California under this rule, a lawyer  
32 agrees that his or her provision of legal services in California is subject  
33 to the California Rules of Professional Conduct and to the jurisdiction  
34 of the State Bar of California in enforcing those rules.  
35

36 **(e) [Definitions]** The following definitions apply to the terms used in this  
37 rule:  
38

- 39 (1) “A formal legal proceeding” means litigation, arbitration,  
40 mediation, or a legal action before an administrative decision-  
41 maker.  
42

- 1 (2) “Authorized to appear” means the attorney is permitted to appear  
2 in the proceeding by the rules of the jurisdiction in which the  
3 formal legal proceeding is taking place or will be taking place,  
4 including, but not limited to, admission to appear *pro hac vice* in  
5 litigation and appearance permitted by certification in an  
6 arbitration.  
7  
8 (3) “Member in good standing of the bar of a United States state,  
9 jurisdiction, possession, territory, or dependency” means an  
10 attorney who meets all of the following criteria:  
11  
12 (A) Is a member in good standing of the entity governing the  
13 practice of law in each jurisdiction in which the member is  
14 licensed to practice law;  
15  
16 (B) Remains an active member in good standing of the entity  
17 governing the practice of law in at least one United States  
18 state, jurisdiction, possession, territory, or dependency  
19 while practicing law as a registered public interest attorney  
20 in California; and  
21  
22 (C) Is not disbarred or suspended from practicing law in any  
23 other jurisdiction.

1 Statement of Purpose. The purpose of this rule is to permit a lawyer who is licensed to  
2 practice law in a jurisdiction in the United States other than California, and who is in  
3 California temporarily other than as part of litigation, to engage in a limited form of the  
4 practice of law in California. A lawyer practicing pursuant to this rule will not be  
5 deemed to be engaging in the unauthorized practice of law in California.

6  
7 **Rule 967. Non Litigating Lawyers Temporarily in California to Provide Legal**  
8 **Services**  
9

10 (a) **[Requirements]** For a lawyer to practice law pursuant to this rule, the lawyer  
11 must:  
12

- 13 (1) Maintain an office in a United States jurisdiction other than in California  
14 and in which the lawyer is licensed to practice law;  
15  
16 (2) Already be retained by a client in the matter for which he or she is  
17 providing legal services in California, except that a lawyer is not engaging  
18 in the unauthorized practice of law in California by providing legal advice  
19 to a potential client, at the potential client's request, to assist the client in  
20 deciding whether to retain the lawyer;  
21  
22 (3) Indicate on a Web site or in another form of advertisement that is  
23 accessible in California that the lawyer is not a member of the State Bar  
24 of California; and  
25  
26 (4) Be an active member in good standing of the bar of a United States state,  
27 jurisdiction, possession, territory, or dependency.  
28

29 (b) **[Permissible activities]** A lawyer meeting the requirements of this rule is not  
30 engaging in the unauthorized practice of law in California if the lawyer:  
31

- 32 (1) Provides legal assistance or legal advice in California to a client  
33 concerning a transaction or other nonlitigation matter, any substantial part  
34 of which is taking place in a jurisdiction other than California and in  
35 which the lawyer is licensed to provide legal services;  
36  
37 (2) Provides legal assistance or legal advice in California on an issue of  
38 federal law, or of the law of a jurisdiction other than California, to  
39 lawyers licensed to practice law in California; or  
40  
41 (3) Is an employee of a client and provides legal assistance or legal advice in  
42 California to the client or to the client's subsidiaries or organizational  
43 affiliates.

1  
2 **(c) [Restrictions]** To qualify to practice law in California pursuant to this rule, a  
3 lawyer must not do any of the following:

4  
5 (1) Hold out to the public or otherwise represent that he or she is admitted to  
6 practice law in California;

7  
8 (2) Establish or maintain a resident office or other systematic or continuous  
9 presence in California for the practice of law;

10  
11 (3) Be a resident of California;

12  
13 (4) Be regularly employed in California;

14  
15 (5) Regularly engage in substantial business, professional, or other activities  
16 in California; or

17  
18 (6) Be disbarred or suspended from practicing law in any other jurisdiction.

19  
20 **(d) [Conditions]** By practicing law in California pursuant to this rule, a lawyer  
21 agrees that he or she is providing legal services in California subject to the  
22 California Rules of Professional Conduct and to the jurisdiction of the State  
23 Bar of California to enforce those rules.

24  
25 **(e) [Scope of practice]** A lawyer is permitted by this rule to provide legal  
26 assistance or legal services only concerning a transaction or other nonlitigation  
27 matter.

28  
29 **(f) [Definitions]** The following definitions apply to terms used in this rule:

30  
31 (1) “A transaction or other nonlitigation matter” includes any legal matter  
32 other than litigation, arbitration, mediation, or a legal action before an  
33 administrative decision maker.

34  
35 (2) “Member in good standing of the bar of a United States state, jurisdiction,  
36 possession, territory, or dependency” means an attorney who meets all of  
37 the following criteria:

38  
39 (A) He or she is a member in good standing of the entity governing the  
40 practice of law in each jurisdiction in which the member is licensed  
41 to practice law;

- 1           (B)   He or she remains an active member in good standing of the entity  
2                   governing the practice of law in at least one United States state,  
3                   jurisdiction, possession, territory, or dependency other than  
4                   California while practicing law as a registered public-interest  
5                   attorney in California; and  
6  
7           (C)   He or she is not disbarred or suspended from practicing law in any  
8                   other jurisdiction.